

438.311 Unlawful acts by minors relating to purchase or receipt of tobacco product, alternative nicotine product, or vapor product -- Issuance of uniform citation.

- (1) Except for the provisions of KRS 438.330, it shall be unlawful for a person who has not attained the age of eighteen (18) years to purchase or accept receipt of or to attempt to purchase or accept receipt of a tobacco product, alternative nicotine product, or vapor product, or to present or offer to any person any purported proof of age which is false, fraudulent, or not actually his or her own, for the purpose of purchasing or receiving any tobacco product, alternative nicotine product, or vapor product. It shall not be unlawful for such a person to accept receipt of a tobacco product, alternative nicotine product, or vapor product from an employer when required in the performance of the person's duties.
- (2) This offense shall be deemed a status offense and shall be under the jurisdiction of the juvenile session of the District Court.
- (3) All peace officers with general law enforcement authority and employees of the Department of Alcoholic Beverage Control may issue a uniform citation, but not make an arrest or take a child into custody, for a violation of this section. If a child fails to appear in court in response to a uniform citation issued pursuant to the section, the court may compel the attendance of the defendant in the manner specified by law.

Effective: July 15, 2014

History: Amended 2014 Ky. Acts ch. 111, sec. 3, effective April 10, 2014; and ch. 132, sec. 20, effective July 15, 2014. -- Amended 2014 Ky. Acts ch. 132, sec. 20, effective July 15, 2014. -- Amended 2010 Ky. Acts ch. 24, sec. 1926, effective July 15, 2010. -
- Amended 2006 Ky. Acts ch. 17, sec. 1, effective July 12, 2006. -- nded 2000 Ky. Acts ch. 423, sec. 3, effective July 14, 2000. -- Amended 1998 Ky. Acts ch. 477, sec. 1, effective July 15, 1998. -- Created 1996 Ky. Acts ch. 38, sec. 4, effective March 5, 1996.

Legislative Research Commission Note (7/15/2014). This statute was amended by 2014 Ky. Acts chs. 111 and 132, which do not appear to be in conflict and have been codified together.